

Senate File 453

H-8141

1 Amend the amendment, H-8086, to Senate File 453, as  
2 passed by the Senate, as follows:

3 1. Page 2, after line 9 by inserting:

4 <c. The board shall not issue a special or  
5 limited-use pharmacy license to a proposed telepharmacy  
6 site if a licensed pharmacy that dispenses prescription  
7 drugs to outpatients is located within ten miles of  
8 the proposed telepharmacy site unless the proposed  
9 telepharmacy site is located on property owned,  
10 operated, or leased by the state or unless the proposed  
11 telepharmacy site is located within a hospital campus  
12 and is limited to inpatient dispensing. The mileage  
13 requirement does not apply to a telepharmacy site that  
14 has been approved by the board and is operating as a  
15 telepharmacy prior to July 1, 2016.

16 d. An applicant seeking a special or limited-use  
17 pharmacy licensed for a proposed telepharmacy site that  
18 does not meet the mileage requirement established in  
19 paragraph "c" and is not statutorily exempt from the  
20 mileage requirement may apply to the board for a waiver  
21 of the mileage requirement. A waiver request shall  
22 only be granted if the applicant can demonstrate to the  
23 board that the proposed telepharmacy site is located  
24 in an area where there is limited access to pharmacy  
25 services and can establish the existence of compelling  
26 circumstances that justify waiving the mileage  
27 requirement. The board's decision to grant or deny a  
28 waiver request shall be a proposed decision subject to  
29 mandatory review by the director of the department of  
30 public health. The director shall review a proposed  
31 decision and shall have the power to approve, modify,  
32 or veto a proposed decision. The director's decision  
33 on a waiver request shall be considered final agency  
34 action subject to judicial review under chapter 17A.>

35 2. Page 2, line 10, by striking <c.> and inserting

<e.>

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BEST of Carroll